

Message Text

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ACTION H-02

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TO SECSTATE WASHDC 0447

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E. O. 11652: N/A
TAGS: CPRS, MX
SUBJECT: INVASION OF PROPERTY OWNED BY SYLVIA SENTER.

REF: MEXICO 3654

H PASS THE HONORABLE ROBERT T. STAFFORD, UNITED STATES
SENATE, WASHINGTON, D. C. 20520, FROM PATRICK J. LUCEY,
AMBASSADOR.

IN HIS LETTER TO YOU OF MARCH 22, 1978, ALSO TRANSMITTED
TELEGRAPHICALLY, MR. THOMPSON SAID YOU WOULD BE KEPT IN-
FORMED OF FURTHER DEVELOPMENTS CONCERNING THE OCCUPATION
BY PEASANTS OF A LAND TRUST AT LA UNION, GUERRERO, MEXICO,
BELONGING TO YOUR CONSTITUENT, MRS. SYLVIA SENTER.

AS INDICATED IN MR. THOMPSON'S LETTER, A CONSULAR OFFICER
VISITED THE ATTORNEY GENERAL OF THE STATE OF GUERRERO, LIC.
CARLOS ULISES ACOSTA VIQUEZ, AND DISCUSSED THE OCCUPATION
OF THE LAND BELONGING TO MRS. SENTER.

LIC. ACOSTA SAID THAT THE LAND BELONGING TO MRS. SENTER,
WHICH WAS HELD IN TRUST FOR HER BY BANCO MEXICANO DEL SUR
(TERMED FIDEICOMISO IN SPANISH), HAD BEEN EXPROPRIATED BY
THE SECRETARIAT OF AGRARIAN REFORM. HE ADDED THAT MRS.
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SENER WAS NOT THE ONLY ONE WHOSE LAND TRUST HAD BEEN
EXPROPRIATED FOR HE HIMSELF OWNED A LAND TRUST AT "LOS
TRONCONES" WHICH WAS EXPROPRIATED. AS A RESULT, HE AND
ANOTHER OWNER HAVE HIRED A LAWYER AND SUED THE PRESIDENT
OF MEXICO, THE NORM IN SUCH CASES, FOR THE RETURN OF THE
LAND. HE REPORTED THAT THE SUIT IS STILL IN THE COURT OF
FIRST INSTANCE AND SAID IT WOULD BE IMPOSSIBLE TO GUESS

AS TO WHEN IT MIGHT BE RESOLVED. HE ADDED, HOWEVER, THAT IF THEY WIN THEIR CASE AGAINST THE EXPROPRIATION, OTHERS WHO ALSO HAVE HAD LAND EXPROPRIATED SHOULD BENEFIT AS WELL. HE DID POINT OUT THAT NO COMPENSATION WOULD BE FORTHCOMING FROM THE GOVERNMENT OF MEXICO UNTIL THE CURRENT LITIGATION IS COMPLETED.

IN LATE APRIL, A CONSULAR OFFICER AGAIN CALLED UPON LIC. ACOSTA TO OBTAIN FURTHER CLARIFICATION OF THE CIRCUMSTANCES SURROUNDING THE OCCUPATION OF MRS. SENTER'S LAND TRUST. WHILE LIC. ACOSTA WAS PREPARED TO MAKE FURTHER INQUIRIES CONCERNING MRS. SENTER'S LAND TRUST HE REQUESTED SPECIFIC INFORMATION; THE EXACT LOCATION OF THE PROPERTY; THE DATE OF ACQUISITION; TYPE OF PURCHASE TRANSACTION; AND, MEASUREMENTS.

THE CONSULAR OFFICER SUBSEQUENTLY REQUESTED MR. ENRIQUE PATINO, DIRECTOR OF THE BANCO MEXICANO DEL SUR TO PROVIDE THIS INFORMATION. WE EXPECT TO HAVE THE INFORMATION IN THE NEAR FUTURE AND WILL PASS IT ON TO LIC. ACOSTA. DURING HIS CONVERSATION WITH THE CONSULAR OFFICER MR. PATINO ALSO SAID THAT ONCE THE LAND TRUST WAS PURCHASED FROM THE BANK, THE BANK HAD NO OBLIGATION TO TAKE ANY STEPS, LEGAL OR OTHERWISE, CONCERNING THE EXPROPRIATION. HE DID AGREE TO PROVIDE A LIST OF OTHER LAND TRUST OWNERS TO THE EMBASSY. WHEN RECEIVED, WE WILL FORWARD YOU A COPY OF THIS LIST IN THE EVENT THAT MRS. SENTER MAY WISH

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TO CONSIDER PARTICIPATING IN A GROUP LEGAL ACTION. SUBSEQUENTLY WHEN THE CONSULAR OFFICER WHO SPOKE WITH MR. PATINO RETURNED TO MEXICO CITY, HE TELEPHONED A STATUS REPORT TO MRS. SENTER'S REPRESENTATIVE, MR. FREDERICK WRISER.

WHILE LIC. ACOSTA HAS STATED THAT MRS. SENTER MAY BENEFIT FROM THE OUTCOME OF THE SUIT WHICH HE AND OTHERS HAVE ALREADY BROUGHT AGAINST THE EXPROPRIATION, IT IS NOT CLEAR TO US JUST HOW MRS. SENTER WILL BENEFIT. THEREFORE, I MUST AGAIN MENTION THAT MRS. SENTER MIGHT BE WELL ADVISED TO ENGAGE THE SERVICES OF A MEXICAN ATTORNEY.

I WILL KEEP YOU INFORMED OF ANY FURTHER DEVELOPMENTS CONCERNING THIS MATTER. LUCEY

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